UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

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*Ex parte* SHASHANK MOHAN PARASNIS, PAUL C. POON, and
PAUL O. WARRIN

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Appeal 2007-1508
Application 09/533,049
Technology Center 2100

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Decided: September 11, 2007

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Before JOSEPH F. RUGGIERO, ALLEN R. MACDONALD, and
ROBERT E. NAPPI, *Administrative Patent Judges.*

NAPPI, *Administrative Patent Judge.*


DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 6(b) (2002) of the final
rejection of claims 1 through 4 and 6 through 29. For the reasons stated
*infra*, we will not sustain the Examiner's rejection of these claims.

INVENTION

The invention is directed to a system and method of recording and playback of a live presentation, thus enabling on demand viewing. See page 5 of Appellants' Specification. Claim 1 is representative of the invention and reproduced below:

> 1. A method for recording a live presentation including a predefined content portion that includes a plurality of presentation slides displayed in response to slide triggering events during the live presentation, and a live portion with live audio and/or visual content performed in conjunction with display of said plurality of presentation slides during the live presentation, the method comprising the steps of:
> (a) generating slide display commands corresponding to said slide triggering events captured in real time during the presentation when presented live, for controlling display of said plurality of presentation slides during playback of a recorded presentation;
> (b) automatically embedding the slide display commands into a data stream as the data stream is produced, the data stream comprising data corresponding to the live portion of the presentation, wherein the live content is captured as a plurality of video frames comprising a plurality of keyframes and deltaframes;
> (c) automatically time indexing the plurality of keyframes and deltaframes as the live content is captured to enable synchronization of the slide display commands with the live content; and
> (d) saving the data stream with embedded slide display commands to a file such that when the file is played, said live portion is reproduced and said plurality of presentation slides are displayed in substantial synchrony with said live portion as it is played, thereby replicating the live presentation.

REFERENCES

The references relied upon by the Examiner are:

Peter Dyson, *Mastering Microsoft Internet Information Server 4*, Sybex (1998).

| Klemets | US 2001/0013068 A1 | Aug. 9, 2001 (filed Mar. 25, 1997) |
|---|---|---|
| Gomez | US 6,697,569 B1 | Feb. 24, 2004 (filed Jun. 4, 1999) |

REJECTION AT ISSUE

Claims 1 through 4 and 6 through 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dyson in view of Gomez and Klemets. The Examiner's rejection is set forth on pages 4 through 21 of the Answer.

Throughout the opinion, we make reference to the Brief (received June 12, 2006), the Reply Brief (received October 27, 2006), and the Answer (mailed October 23, 2006) for the respective details thereof.

ISSUES

Appellants contend that the Examiner's rejection of claims 1 through 4 and 6 through 29 under 35 U.S.C. § 103(a) is in error. Appellants assert that the combination of the references does not teach or suggest the limitation of generating slide display commands in response to triggering events as recited in the independent claims. Brief p. 19. Appellants assert that Gomez, the reference the Examiner relies upon for teaching the generating slide display commands, does not teach that the commands are generated in response to triggering events but instead are based upon a time interval. Brief p. 21. Further, on page 12 of the Reply Brief, Appellants

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argue that Gomez's teaching of manually using the still image grabber to create a slide display command "is not equivalent to a presenter issuing a slide change command to change the slide being shown during a live presentation (which is the slide triggering event referenced in the appellants' claims)."

The Examiner responds, on page 23 of the Answer, stating:

> Dyson, in *Creating NetShow Content* discloses allowing user to embed scripting commands into an .asf file so that one can use it to open web pages and sending script commands to clients, open URLs, manage input and feedback from users. Gomez teaches a user's command input which allows him or her to flip through still images or slide show (abstract; col. 3, lines 33-47; col. 4, lines 60-64). The user's command input to flip images is interpreted as "slide triggering event." In response to the user's command input, Gomez discloses a script command object that can be inserted into an ASF file control the display of the images (col. 6, lines 1-4; col. 7, lines 18-30; col. 8, lines 1-5). The script command is interpreted as "slide display command."

Answer 23.

Thus, the issue before us is whether the combination of the references cited by the Examiner teaches or suggests generating slide display commands corresponding to the slide triggering events captured in real time during the presentation when presented live, for controlling display of said plurality of presentation slides during playback of a recorded presentation.

## FINDINGS OF FACT

1. Dyson teaches a method of generating broadcasts over the Internet using the program NetShow. See heading titled "Overview."

2. Dyson teaches that in generating the broadcast using NetShow, on-demand content is contained in .asf files. These files can contain audio, video, or illustrated audio. These files can also have script commands embedded so that they can be used to open web pages. See heading "NetShow: The Grand Tour," sub-heading "Creating NetShow Content."

3. Gomez teaches a system in which a multimedia presentation can be captured in real time including a movie of the speaker together with still images of the speaker's slides. Abstract.

4. Gomez teaches that two cameras are used to capture the live presentation. One camera to capture images of the person speaking and the other camera captures images of the presenter's slides. Col. 3, ll. 30-35.

5. The video feed from the camera capturing the slide show is converted into still frame images by an image grabber. Col. 3, l. 65 through col. 4, l. 3, col. 5, ll. 29-35.

6. A user controls the cameras and the capture of the presentation through a Graphical User Interface (GUI). Col. 4, ll. 19, 24

7. The image grabber can be automated such that it periodically grabs video information from the video signals. Col. 5, ll. 36-42.

8. The image grabber can also be manually triggered, by button 590, to grab an image. Col. 7, l. 61 through col. 8, l. 5.

9. A difference determiner is used to determine if there is any difference between the most recently grabbed image and the previous image. If there is a difference a new file is created for the new image, i.e. the

only time a file is saved is when it represents a different slide. Col. 8, ll. 54-67.

10. From facts 7 through 9, we find that the manual triggering is initiated by pushing the grab still button on the GUI and not by action of the presenter, i.e. we find no discussion of the image grabbing being initiated by the command to change the slides (slide triggering event) in the live presentation.

## ANALYSIS

We find that the Examiner erred in rejecting claims 1 through 4 and 6 through 29 as being unpatentable over Dyson in view of Gomez and Klemets. Independent claim 1 recites: "generating slide display commands corresponding to said slide triggering events captured in real time during the presentation when presented live, for controlling display of said plurality of presentation slides during playback of a recorded presentation." Independent claims 9 and 24 contain a similar limitation. Independent claim 16 recites "(i) a presenter to change slides during the live presentation in response to slide triggering events entered through the user interface; and (ii) slide display commands to be generated in response to the slide triggering events." Independent claim 20 recites a similar limitation. Thus, the scope of the independent claims includes a slide triggering event captured during the live presentation being used to generate a slide display command.

The Examiner relies upon Gomez to teach the generating slide display command. Answer p. 5, 23. As discussed above, we find that Gomez teaches generating slide display commands based upon a predetermined time or a manual selection. Facts 7 and 8. However, as discussed above, we do not find the selections are made in response to slide triggering events

captured during the live event. Fact 10. The Examiner has not found, nor do we find, that Dyson and Klemets teach generating the slide display command. Thus, we do not find that the combination of the references teaches all of the limitations of the independent claims 1, 9, 16, 20, and 24.

## CONCLUSION

We consider the Examiner's rejection of claims 1 through 4 and 6 through 29 under 35 U.S.C. § 103(a) to be in error as we do not find that the combination of the references applied teaches or suggests the limitations in independent claims 1, 9, 16, 20, and 24. Accordingly, we will not sustain the Examiner's rejection of claims 1 through 4 and 6 through 29.

## ORDER

For the forgoing reasons, we will not sustain the Examiner's rejection under 35 U.S.C. § 103. The decision of the Examiner is reversed.

## REVERSED

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